

Summary of Commitments made on Cultural Resources under All-H/Bi-Op at the Spokane, March 24 and Boise, April 4, 2000 meetings

- 1) Tribes ask Federal agencies a) to designate a lead agency for historic preservation and b) explain how cultural resource issues are going to be addressed:

March 24, 2000 - Carl Strock took responsibility for getting an answer from the federal agencies and relaying it to the Tribes before the All H paper is released in May. He also added that the COE has historic preservation officers: Paul Rubenstein at headquarters, and John Tyger for the Northwest office. He acknowledged the need to clarify how this process gets done and to agree on a mechanism.

April 4, 2000 - Judi Johansen designates Bob Beraud, BPA, to take lead on working with other federal agencies by using their tribal liaisons to seek tribal participation and input. Judi said the agencies need to work with the tribes and develop a list of specific steps and outcomes. She said the All H paper won't develop a basin wide cultural resource program, but the paper does need to describe federal obligations, steps, measures, and milestones. It will provide a framework for dealing with cultural resources beyond the publication of the All H paper. (Leads - Bob Beraud, Ken Pedde, Col. Mogren)

- 2) Tribes ask what NEPA compliance will be done for the BiOp, water quality, and cultural resources. Would it be the SOR EIS? They didn't think the SOR EIS covered the drafts of Lake Roosevelt being contemplated.

Judi Johansen said a subgroup of the federal caucus would have to look at this and provide an answer in the final All-H paper. (Lead - Ric Ilgenfritz)

- 3) The Tribes and Federal agencies agreed to consult on proposals in the BiOp for increased flow augmentation and transferring flood control from other reservoirs to Lake Roosevelt.

Will Stelle and Judi Johansen agreed that consultation was needed and said they would schedule a meeting. (Leads - Ric Ilgenfritz/Brian Brown, Therese Lamb)

- 4) Bruce Wynne asked that the Tribe participate in the flow augmentation decision making process as well as flood control

(Lead - COE)

- 5) Howard Funke stated that they understand the BiOp calls for increased releases out of Grand Coulee and moving flood control responsibilities from Hungry Horse, Libby, and Dworshak. They want to engage in consultation about why this would be done and want discussion and access to the decision making process. This has major implications for Lake Roosevelt.

Judi Johansen stated we want to discuss that and Stelle agreed, Let's talk schedule. We want to have that input before the BiOp comes out, lie said.

- 6) The Spokane Tribes sent a letter to the COE requesting consultation on flood control issue.

Col. Mogren said they are responding to this letter and agreed that consultation has to happen. The letter will be run by Howard Funke before it is signed to make sure it responds adequately. (Lead - Col. Mogren)

7) Joe Peone said the proposed BiOp really concerns the Tribes. We are not sure the 1995 BiOp, let alone the new one, meets NEPA compliance - the technical people have said the SOR is the NEPA compliance, but the Tribes say that is not appropriate, Peone said. Lake Roosevelt impacts have not been looked at, and this is a really big issue, he added. It's a cultural and water quality issue, and we probably need to devote a meeting to that issue.

8) Deb Louie pointed out that the All H/BiOp process is a federal undertaking in which the federal agencies must consider the effects on Tribal cultural resources and the impact on Indians. He presented Judi Johansen with a letter stating the position of the Colville Cultural Resources Committee with regard to the relationship between the All-H/BiOp process and the NEPA. The federal trust responsibility to the CCT requires there be consultation under the NHPA with regard to the effects of the All H/BiOp on cultural resources, according to the letter.

And Louie said the federal agencies should provide funding so CCT could participate fully in the consultation.

9) Louie Wynne said the NB?A requires that there be a plan in place before any expenditure of Federal funds on a project - before the United States digs a shovel of dirt, there must be a plan in place. I reject the All H paper and the SOR because they do not address our cultural resources, he stated. The law requires that each agency shall designate a preservation officer, but I have no idea who the agencies' preservation officers are, Wynne said. I'd like a response on that, he added.

10) Funding for tribal resources for participating in all these processes raised as a concern by the Tribes.

March 24, 2000 - Judi Johansen stated to better accommodate the cultural resources dynamic of the plan, additional funding will need to be part of that. I concur, Will Stelle said. April 4, 2000 - This will be considered by agencies as things progress. Bob Shank reviewed new funding that is available to tribes that not all tribes have applied for. (Lead - Bob Shank)

11) A Cultural Resources technical meeting was held in Boise on April 5
Where are notes? Who attended?